

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: SCULLY, Helen M.

First Named Inventor: SCULLY, Helen M.

Application No.: 10/768,929 Art Unit: 3714

Filed: 01/30/2004

Examiner: HADIZONOOZ, Banafsheh

For: Improved Career Discovery Method and System

RECONSIDERATION OF HOLDING OF ABANDONMENT  
AND FOR REVIVAL OF APPLICATION UNDER MPEP §711.03

BOX FEE AMENDMENT

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Notice of Abandonment mailed March 20, 2008, reconsideration of holding of abandonment and revival of this application under MPEP §711.03 and as set forth below is requested.

1.) Attached hereto as Applicant's Exhibit "A" is a true and correct copy of the file wrapper for this application taken from the USPTO PAIR system on April 2, 2008. The file wrapper clearly shows timely receipt of applicant response to the first, non-final office action with the petition and fee for a three month extension.

2.) Attached hereto as Applicant's Exhibit "B" is a true and correct copy of the Patent Office's Acknowledgment Receipt for Applicant's timely filed response to the first, non-final office

action bearing the receipt date of March 17, 2008.

3.) Attached hereto as Applicant's Exhibit "C" is a true and correct copy of the Patent Office's Notice of Abandonment mailed March 20, 2008, setting forth as the reason for abandonment "No reply has been received."

4.) Applicant hereby asserts there is no abandonment in fact of this application, and reconsideration of the holding of abandonment and revival of the application is respectfully requested as provided under MPEPS 711.03.

5.) Applicant's undersigned attorney has made these circumstances known to both Examiner Hadizonooz and Supervisory Examiner Pezzuto by telephone conference on March 21, 2008<sup>1</sup>; however, to date no withdrawal of the abandonment has been either entered in this case or received by Applicant. Hence, this request for reconsideration is necessary.

**Declaration:**

I, Charles L. Thoeming, authorized attorney for the Applicant in this case, declare under penalty of perjury that the facts set forth in paragraphs 1 - 5 herein are of my personal knowledge, and are true and correct.

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<sup>1</sup> Although Applicant's Exhibit "C" indicates regular mail receipt of the Notice of Abandonment on 03/22/2008, Applicant's undersigned attorney received advance notice through the USPTO PAIR system on 03/20/2008 by review mailed correspondence for active cases under his customer number. A call to both the Examiner and Supervisory Examiner followed on the next business day, 03/21/2008.

Dated: April 2, 2008.

/Charles L. Thoeming/  
Charles L. Thoeming

**Conclusion:**

As specifically demonstrated herein and as set forth and argued above, **there is no abandonment in fact of this application.**

Reconsideration and revival of this application as provided under MPEPS 711.03 is earnestly solicited.

Dated: April 2, 2008.

Respectfully submitted,  
/Charles L. Thoeming/  
Charles L. Thoeming  
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Attorneys for Applicant

Enclosures: Exhibits A - C

**Certificate of Filing by Electronic Means**

I hereby certify that this correspondence with the referenced Exhibits A - C, and transmittal cover sheet are being filed using the undersigned's customer number and secure EFS identification through the USPTO EFS filing system, on April 2, 2008.

Name of Person Signing Certificate: Charles L. Thoeming

Signed: /Charles L. Thoeming/

Date of Signing: April 2, 2008

cc: Client (w/encl.)

10/768,929 Method and system for career assessment

04-02-  
2008::14:46:49

**This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click PDF.**

**Available Documents**

Mail Room Date	Document Code	Document Description	Document Category	Page Count
03-20-2008	ABN	<b>Abandonment</b>	<b>PROSECUTION</b>	<b>2</b>
03-17-2008	A...	Amendment - After Non-Final Rejection	PROSECUTION	1
03-17-2008	SPEC	Specification	PROSECUTION	2
03-17-2008	REM	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	39
03-17-2008	DRW	Drawings-only black and white line drawings	PROSECUTION	15
03-17-2008	REM	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	15
03-17-2008	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	2
03-17-2008	N417	Status Letter Mailed to Applicant	PROSECUTION	3
03-17-2008	LET.	Miscellaneous Incoming Letter	PROSECUTION	1
03-17-2008	XT/	Extension of Time	PROSECUTION	1
09-17-2007	CTNF	Non-Final Rejection	PROSECUTION	12
09-17-2007	892	List of references cited by examiner	PROSECUTION	1
09-17-2007	BIB	Bibliographic Data Sheet	PROSECUTION	1
09-17-2007	FWCLM	Index of Claims	PROSECUTION	1
09-17-2007	SRFW	Search information including classification, databases and other search related notes	PROSECUTION	1
09-13-2007	SRNT	Examiner's search strategy and results	PROSECUTION	2
03-14-2007	SRNT	Examiner's search strategy and results	PROSECUTION	1
03-14-2007	SRNT	Examiner's search strategy and results	PROSECUTION	1
03-09-2005	LET.	Miscellaneous Incoming Letter	PROSECUTION	5
01-30-2004	TRNA	Transmittal of New Application	PROSECUTION	3
01-30-2004	SPEC	Specification	PROSECUTION	34
01-30-2004	CLM	Claims	PROSECUTION	21
01-30-2004	ABST	Abstract	PROSECUTION	1
01-30-2004	DRW	Drawings-only black and white line drawings	PROSECUTION	16
01-30-2004	OATH	Oath or Declaration filed	PROSECUTION	3
01-30-2004	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	1
01-30-2004	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	1

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EXHIBIT "A"

**Acknowledgement Receipt**

The USPTO has received your submission at **13:24:44** Eastern Time on **17-MAR-2008**.

\$ **525** fee paid by e-Filer via *RAM* with Confirmation Number: 8063.

**eFiled Application Information**

EFS ID	3007807
Application Number	10768929
Confirmation Number	8194
Title	Method and system for career assessment
First Named Inventor	Helen M. Scully
Customer Number or Correspondence Address	27015
Filed By	Charles L. Thoeming
Attorney Docket Number	12263
Filing Date	30-JAN-2004
Receipt Date	17-MAR-2008
Application Type	Utility under 35 USC 111 (a)

**Application Details**

Submitted Files	Page Count	Document Description	File Size	Warnings
trans_001.pdf	1	Miscellaneous Incoming Letter	39297 bytes	◆ PASS
petition_001.pdf	1	Extension of Time	41733 bytes	◆ PASS
response_001.pdf	42	Amendment - After Non-Final Rejection	1034604 bytes	◆ PASS
rdf.pdf	15	Drawings-only black and white line drawings	502873 bytes	◆ PASS
adf_001.pdf	15	Drawings-only black and white line drawings	425157 bytes	◆ PASS
fee-info.pdf	2	Fee Worksheet (PTO-06)	8125 bytes	◆ PASS

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance

of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

*If you need help:*

- *Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail [EBC@uspto.gov](mailto:EBC@uspto.gov) for specific questions about Patent e-Filing.*
- *Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).*
- *If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.*

**EXHIBIT "B"** Page 2 of 2



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,929	01/30/2004	Helen M. Scully	12263	8194

27015 7590 03/20/2008  
LAW OFFICES OF CHARLES L. THOEMING  
BIELN, LAMPE & THOEMING, P.A.  
TWO CORPORATE CENTRE 1390 WILLOW PASS ROAD  
SUITE 1020  
CONCORD, CA 94520

EXAMINER
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HADIZONOOZ, BANAFSHEH

ART UNIT	PAPER NUMBER
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3714

MAIL DATE	DELIVERY MODE
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03/20/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

STX. 272.1242 Hadizoonooz &

STX. 272. 6996 Pezzuto &

T/c 3.24.08  
- withdrawn

RECEIVED

MAR 22 2008

BIELN, LAMPE & THOEMING

EXHIBIT "C" Page 1 of 2

<b>Notice of Abandonment</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/768,929	SCULLY, HELEN M.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Banafsheh Hadizonooz	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on 17 September 2007.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

/Robert E Pezzuto/  
Supervisory Patent Examiner, Art Unit 3714

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.